

REMARKS

Applicants have carefully reviewed the Application in light of the Final Office Action mailed October 6, 2006. At the time of the Office Action, Claims 1-50 and 58-68 were pending in the Application. Claims 1-3, 5, 9-16, 21-26, 31-36, 41-50, 58-62, and 65-68 are rejected and Claims 4, 6-8, 17-20, 27-30, 37-40, and 63-64 are objected to. Applicants respectfully request reconsideration of the pending claims and favorable action in this case.

Section 103 Rejections

The Examiner rejects Claims 1-3, 5, 9-13, 15-16, 21-26, 31-36, 41-50, 58-62, and 65-68 under 35 U.S.C. §103(a) as unpatentable over the combination U.S. Patent No. 6,741,705 issued to Nelson et al. (“*Nelson*”), in view of the APA, U.S. Patent No. 6,223,153 issued to Bowater et al. (“*Bowater*”), and U.S. Patent No. 6,785,379 issued to Rogers et al. (“*Rogers*”). Applicants respectfully request reconsideration and allowance Claims 1-3, 5, 9-13, 15-16, 21-26, 31-36, 41-50, 58-62, and 65-68. The Examiner rejects Claim 14 as unpatentable over the combination of *Nelson* in view of the APA, *Bowater*, and *Rogers*, as applied to Claim 1 above, and further in view of U.S. Patent No. 6,603,774 issued to Knappe et al. (“*Knappe*”).

According to 35 U.S.C. §103(c)(1), “[s]ubject matter developed by another person, which qualifies as prior art only under one or more subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.” Applicants respectfully submit that *Nelson* and the Application were owned by or subject to an obligation of assignment to Cisco Technology, Inc. at the time the invention claimed in the Application occurred. Because *Nelson* only qualifies as prior art under 35 U.S.C. §102(e), *Nelson* is not available as a reference to support the Examiner’s rejection. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 1-3, 5, 9-16, 21-26, 31-36, 41-50, 58-62, and 65-68.

Additionally, Applicants respectfully submit that *Knappe* and the Application were owned by or subject to an obligation of assignment to Cisco Technology, Inc. at the time the invention claimed in the Application occurred. Because *Knappe* only qualifies as prior art under 35 U.S.C. §102(e), *Knappe* is not available as a reference to support the Examiner’s

rejection of Claim 14. Accordingly, Applicants respectfully request reconsideration and allowance of Claim 14.

Allowable Subject Matter

Applicants note with appreciation the Examiner's indication that Claims 4, 6-8, 17-20, 27-30, 37-40, and 63-64 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. *Office Action*, p. 2. As discussed above, Applicants believe that independent Claim 1 (from which Claims 4 and 6-8 depend), independent Claim 15 (from which Claims 17-20 depend), independent Claim 24 (from which Claims 27-30 depend), independent Claim 35 (from which Claims 37-40 depend), and independent Claim 58 (from which Claims 63-64 depend) are allowable as presented. Accordingly, Applicants respectfully submit that all pending claims are allowable and respectfully request reconsideration of all pending claims.

CONCLUSION

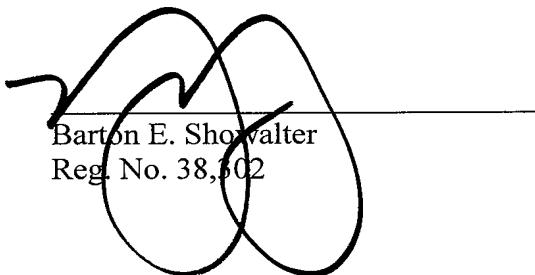
Applicants have now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicants respectfully requests reconsideration and allowance of the pending claims.

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any amount required or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicants invite the Examiner to contact its attorney, Barton E. Showalter, at (214) 953-6509.

Respectfully submitted,

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